being transported by its owners to Madhya Pradesh, Maharashtra and other places due to severe drought conditions and lack of availability of fodder and other essential commodities which are required by sheep and goats for their livelihood. These sheep and goats from various parts of Kutch, Saurashtra and Gujarat are being sent and shifted by its owners to Maharashtra and other places through Jambwa which is the border of Gujarat and Madhya Pradesh.

There the administration are charging Rs. 10/- for each of the goats and sheep. The owners of sheep and goats of Gujarat are penniless due to severe drought conditions in Gujarat. As such they are unable to pay such amount.

The number of such sheep and goats are stated to be about eight lakhs. Therefore, I request through you, Madam, that this precious cattle be saved. They should not be charged a single paisa there and sufficient quantity of fooder and other essential commodities should be supplied to Gujarat so as to give them help to save these precious cattle and also to enable the owners to save themselves from being ruined.

Thank you, Madam, for permitting me to raise this important issue. Thank you once again.

Third Anniversary of Bhopal Gas Tragedy

SHRI MURLIDHAR CHANDRAKANT BHANDARE (Maharashtra): I am extremely grateful to you for permitting me to make a special mention on a very very important and very serious subject.

Today we are observing the Environment Day. This is significant because today is also the Third Anniversary of Bhopal Disaster. In the early morning, three years earlier, the poisonous gas MIC escaped from the plant of the UCIL. A similar disaster would in any first world country give a warning signal on a highly computerised and sophisticated system for everybody to take measures against the consequences of the leakage, but this was a plant installed by a multinational company in a third world country. No wonder that not even a whistle blew before the colossal tragedy to warn the people. The result is for everyone to see—2850 died and two lakhs of people were affected. Even today living people are suffering untold miseries because of the affliction by the poisonous gas. Abortions, deformed babies, incapacity to work fully and many other ailments which are noted, provide a picture of despair for the victims of the tragedy. A study sponsored by the National Institute of Public Cooperation and Child Development regarding the psycho-social competence in children of MIC exposed areas of Bhopal has revealed that intellective performance of this lethal gas exposed cnildren was significantly lower than their counterparts from the unexposed group.

Human life all over the world Madam, should be valued alike. Its protection and safety should be the prime concern of any industry. A time has come to achieve the object of having uniformity of standards in the technological processes and products in all parts of the world. The risks facing the developing country in the area of application of scientific and technological developments have increased manifold, but the procedures of surveillance of policies and practice of trans-national corporations have yet to acquire form and content. It must be made compulsory that information on the existing practices followed by the transnational corporations and enterprises regarding disclosures by them of all the information at their disposal on the actual and potential hazards of their processes, products and technologies to Governments, employees consumers and the general public is given.

Though the Government pursued with great zest the claims of the victims for damages against the UCC in

[Shri Murlidhar Chandrakant Bhandare]

the American courts, the American courts have now directed that the convenient forum for this case is in India. It is regrettable that the legal pundits of the Bombay House should have claimed that the victims would get an equally efficaciuos and speedy justice in India and that the claim should not be entertained in USA. The same legal pundit today says that since justice is not to be denied to them because of the delay in the delivery system of justice in our country, the Government should settle the matter. Even after three years, the victims are left high and dry. It is high time an order for interim payment is made by the court.

We have already enacted the Bhopal Gas Leakage (Processing of Claims) Act in March 1985. Nobody is against a reasonable settlement, but it must be remembered that the settlement must be a reasonable one. In any such settlement the following points are involved:

(i) creating an international bebenchmark for culpability of a large but thoroughly irresponsible and cynical multinational corporation by proving it guilty in a court of law;

(ii) the crucial issue of North-South relations in the transfer technology, of ensuring that double standards do not exist in such transactions and of defending and advancing the non-aligned movement perspective for a uniform code of conduct for MNCs—a position that this country has advocated persistently

(iii) national prestige and this country's credibility in dealing firmly with an MNC that was responsible for the brutal death of over 2,850 people and for maiming 200,000 for life;

(iv) the basic question of providing legal deterrence and stiff penalties, besides regulation for violation of basic considerations of safety of human beings and of life.

It must not be forgotten that the claim made by the Government in the Court is 3.3 billion dollars, a figure on the lower side by American standards. It must be illuminating to know that the Union Carbide has already spent Rs. 70 crores on its litigation expenses. The settlement must have a reasonable nexus with the claim.

In the meantime, it must not be forgotten that if justice cannot be given in India, it will fail everywhere else in the Third World. Let the value of Indian life be as precious as the American life. It is also necessary that Government pursues with its efforts, gives full medical relief and rehabilitation measures to the victims. Let me end by hoping that Bhopal is the last of such incidents which are the result of indifference, callousness and cruel exploitation of the multi-nationals.

SHRI PARVATHANENI UPENDRA (Andhra Pradesh): Madam, I associate myself with the special mention made by Mr Bhandare.

SHRI DIPEN GHOSH (West Bengal): Madam, only one point. The Law Minister is present here and let him assure us that there shall not be any out-of-the-court settlement because we have our information that there is a move for an out-of-the-court settlement.

THE MINISTER OF PLANNING, THE MINISTER OF PROGRAMME IMPLEMENTATION AND THE MINISTER OF LAW AND JUSTICE (SHRI P. SHIV SHANKER): Madam, it is the Ministry of Petroleum which deals with this. I do not deal with that at all.

श्री चतुरानन मिश्र (बिहार) : उपसभापति महोदया, भंडारे साहब ने जो स्पैशल मेंशन किया है, मैं उसका पूर्णतया समर्थन करता हूं। यह बहुत ही

जायज बात है । जो मल्टीनेशनल कंपनी हैं उनको बिना दोषी ठहराये हुए सरकार को कोई सेटलमेंट नही करना चाहिए । अखबारों मे यह बात आ रही है और संयोग से इस समय हमारे ला मिनिस्टर साहब यहां पर है, उनके बारे मे भी तरह तरह की बातें अखबारों में आई है कि बहुत कम रुपयो में यह सेटलमेंट किया जा रहा है । यह देश की प्रतिष्ठा का सवाल है और जिस तरह से यह घटना घटी है, ज्यों ज्यों दिन बीत रहे है त्यों त्यों इसकी भयकरता साबित हो रही है । गर्भ में जो शिशु आयेगा उस पर भी इसका प्रभाव पडेगा । इसलिये इस पर सरकार को पूरा ध्यान देना चाहिए और इस मामले में सख्ती से कार्यवाही करनी चाहिए ।

SHRI NIRMAL CHATTERJEE (West Bengal): Madam I associate with what he has said almost to the full. He has only opened a door or a window which I want to see. He said "cynical multinationals" because the multinationals coming from an advanced country treat us as the Third World citizen. We should be particularly serious whenever we enter into any deal with them--whenever they start their establishments here and also see that it is a fool-proof measure in terms of the health of the Indian citizens. I would also like to say that there is a criticism involved about the Government of India in handling the whole affair. And all Members of the Congress party if they love the people of this country they should also demand that there should be no dithering on the part of the Government of India on the question of such incidents.

SHRI N K. P. SALVE (Maharashtra): Madam, I am grateful for allowing me this opportunity I rise to endorse entirely and fully the sentiments expressed by my colleague, Mr. Murlidhar Chandrakant Bhandare The matter has been pending far too long and it is indeed most unfortunate that in the United Sates of America had 10 Americans been killed, in torts they would have got not 3 mililon dollars but 6 bililon dollars. It is just because the Indians lives are involved, no value is being attached. It is more unfortunate that our process of law is such that in four years' time, nothing has come about so far. I cannot understand this. We in India here, day in and day out have been talking about Bhopal disaster. We are talking about those unfortunate people who have been involved entirely due to the callousness of a multi-national company, motivated by consideration of making more and more profits. Human lives mean nothing to them. Now comes the news that the Government is likely to make out-of-the-court settlement with this company. Madam, I completely associate myself with the views expressed by Mr. Nirmal Chatterjee on this that there can be no out-of-court settlement whatsoever. It will never satisfy us. It is very disconcerting that the Law Ministry is not connected with it It is a legal battle being fought and unfortunately, some people are working for the Union Carbide which is nothing short of—I do not want to use that word—betraying your own people. I do not want them not to have a right to defend It is a civilised society. They must have a right to defend but let them understand once and for all in this country, having done what they have done. they will not be able to get away so cheaply as they think they might be, with the help of some people in this country and I do hope that the Law Ministry gets connected with it because this is a legal issue. Unnecessarily a legal issue has been made. We know how many people have died; we know how many people have been maimed for their lives. We know the cause, still the legal forces are preventing these people from having any medicum of help and assistance. It is a terrible commentary on the legal system which we have this country. Thank you, Madam.

श्री राम अवधेश सिंह (बिहार) : मैं श्री भंडारे जी द्वारा उठाये गये

[श्री राम अवधेश सिंह]

विशेष उल्लेख का समर्थन करता हूं। मैं अपनी चिन्ता व्यक्त करते हुए यह कहना चाहता हूं कि किसी भी तरह से आऊट आफ कोर्ट सेटलमेंट न होने पाए क्योंकि इससे देश का मजाक होगा। अगर भारत सरकार इस में झुकती है तो यह देश का बहुत बड़ा अपमान होगा इसलिए किसी भी कीमत पर आऊट आफ कोर्ट सेटलमेंट नहीं होना चाहिये। हम को यह शक है कि रीगन सरकार का दबाव राजीव सरकार पर पड रहा है। इसलिए सरकार उनके दबाव में आकर आऊट आफ कोर्ट फैसला न करे।

Difficulties faced by Freedom Fighters in getting pension

SHRI VITHALRAO MADHAVRAO JADHAV (Maharashtra): Madam Deputy Chairman, I would like to raise this very important issue especially about the pension of the freedom fighters of Hyderabad Mukti Sangram. Madam, the problems of the freedom fighters are so many and after forty years of independence even we are unable to solve the problems of the freedom fighters who have made a lot of sacrifices for the cause of the national independence. But the Hyderabad Mukti Sangram worked for just a period of one year when India got liberated from the slavery of the Britshers. Then, after one year, our Hyderabad got freed from the rule of Nizam and during that one year period, people who have participated in the freedom movement, their number came to about 20,000 The Hyderabad State was formed by a part of Andhra Pradesh, Telegana, a part of Maharashtra and Marathwada and a part of Karnataka. These three regions were concerned with that and there is a rule which says that unless any freedom fighter goes to jail for a period of six months, he is not eligible to get pension from the Central Government. I request through you, Madam this rule should be relaxed to the movement of Hyderabad Mukti Sangram which took place for a period of just one year. I myself had gone to the Home Minister, Mr. Chintamani Panigrahi and given a list of 375 cases of my own district. There are about 2500 to 3000 cases from Marathwada If we take into account the cases relating to three States, then the cases may not be more than 9,000. So I request through you, Madam, that these 9,000 cases should be taken up separately and they must be given pension by the Central Government. What happens now? The State pension is different from the Central pension. I request the Government through you Madam, that a freedom fighter, whoever he might be, who has got the Samman Patram from the State Government, must be given the pension of the Central Government without any hesitation. The people who fought for our independence have lost the comforts of life. Their properties have gone out of their hands. They have done great sacrifices. If the country spends another fifty crores of rupees for these people, nothing is going to happen At the same time, these helpless old freedom fighters, who are suffering now, will be satisfied and will be happy.

I would like to add one more thing. A screening committee has been formed in Aurangabad to sort out the cases of freedom fighters. It is alleged that corruption is going on there. It seems there are also communal feelings. A lot of complaints have come. Actually when I came to know of these I felt very sad and annoyed that the people who participated in the freedom movement, while giving justice to their own colleagues, entertain corruption and communal feelings. Madam I request that a thorough investigation should be made into this matter

Another thing I would like to mention is about the railway pass given to these freedom fighters As present, the pass is given for a period of one year. I request that it should be extended upto December 1988.

Thank you very much.